

ROBERT P. CASEY, JR.  
PENNSYLVANIA

COMMITTEES:  
FINANCE

HEALTH, EDUCATION,  
LABOR, AND PENSIONS

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ON INTELLIGENCE

SPECIAL COMMITTEE ON AGING

# United States Senate

WASHINGTON, DC 20510

May 10, 2022

The Honorable Patty Murray Chair  
Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related  
Agencies  
United States Senate Washington, D.C. 20510

The Honorable Roy Blunt Ranking Member  
Appropriations Subcommittee on Labor, Health and Human Services, Education, and Related  
Agencies  
United States Senate Washington, D.C. 20510

Dear Chair Murray and Ranking Member Blunt,

As you begin drafting the Fiscal Year (FY) 2023 Labor, Health and Human Services, Education, and Related Agencies (Labor-HHS) appropriations bill, we respectfully request the bill include \$368 million, at a minimum, for the National Labor Relations Board (NLRB or Board). Since FY2010, the NLRB's budget has decreased 25 percent in real dollars adjusted for inflation, and this requested increase in funding would provide long overdue resources to allow the NLRB to accomplish its statutory mission. We further request that you include bill language directing the Board to spend appropriated funds to address the NLRB's regional office staffing crisis; and we request you remove the appropriations rider prohibiting the Board from implementing an electronic voting system to conduct union representation elections.

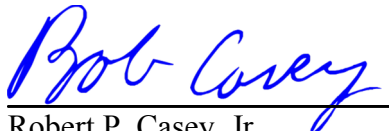
The NLRB is an independent agency, created by Congress in 1935 to administer and enforce the National Labor Relations Act (NLRA), as amended in 1947 (Taft-Hartley) and 1959 (Landrum-Griffin). The NLRA is the primary and exclusive federal statute governing labor relations in the private sector and serves the public interest by effectively and efficiently reducing disruptions to commerce caused by workplace strife. The Board effectuates the NLRA by protecting the rights of employees to free association and speech and promoting good faith relationships between employers, unions and employees nationwide.

All NLRB proceedings originate from unfair labor practice charges or representation petitions filed by employees, employers or unions at any of the Board's regional offices throughout the country. Virtually all NLRA enforcement and election work is conducted by these field offices. This decentralized model allows Board personnel to efficiently and effectively process petitions and resolve disputes on the ground, while minimizing cost, maximizing public access and promoting favorable resolution of labor disputes.

Despite the NLRB's vital mission, the Board has received the same appropriation of \$274M for nine consecutive fiscal years—effectively a 25 percent cut since FY2010, when the Board received \$283.4M. Overall staffing levels have dropped by 39 percent over the past two decades and field staffing has been cut in half. These cuts come while there has been a dramatic increase in labor activity which has caused a higher caseload for NLRB staff. Just in the first half of FY2022, union election petitions were up 57 percent and unfair labor practice charges were up 14 percent compared to this time in 2021. Additionally, with 60 million non-union workers saying they would join a union if given the chance (including nearly 75 percent of young workers age 18-24), we only expect union election petitions to further increase. With this skyrocketing workload, the NLRB is now responsible for far more workers than a decade ago, yet has been denied the funding to meet these statutory requirements. We further request that you exclude the rider barring the Board from using appropriated funds to issue any new administrative directive or regulation that would provide employees any means of voting electronically in union representation elections. The NMB has effectively and securely conducted telephonic voting in representation elections since 2002 and electronic voting by internet since 2007 in the railway and airline industries. Everyday commerce, official government business and jobs have been moving online in the past two decades. It is time to end this antiquated prohibition and allow the NLRB to join the rest of society in modernizing its processes and procedures. The rider ultimately serves to restrict employee access to the polls and free choice, and we respectfully request it be excluded from this year's Labor-HHS appropriations bill.

Thank you in advance for your attention to this important request.

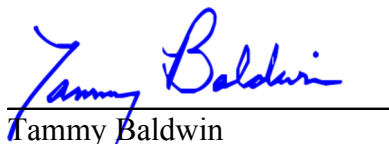
Sincerely,



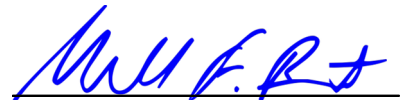
Robert P. Casey, Jr.  
United States Senator



John W. Hickenlooper



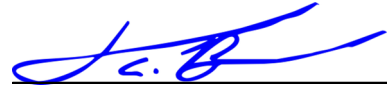
Tammy Baldwin  
United States Senator



Michael F. Bennet  
United States Senator



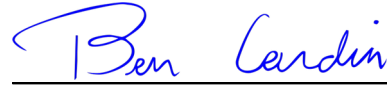
Richard Blumenthal  
United States Senator



Cory A. Booker  
United States Senator



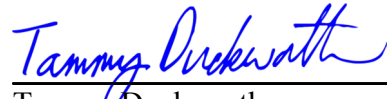
Sherrod Brown  
United States Senator



Benjamin L. Cardin  
United States Senator



Catherine Cortez Masto  
United States Senator



Tammy Duckworth  
United States Senator



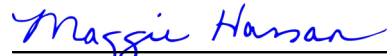
Richard J. Durbin  
United States Senator



Dianne Feinstein  
United States Senator



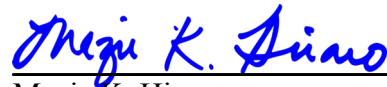
Kirsten Gillibrand  
United States Senator



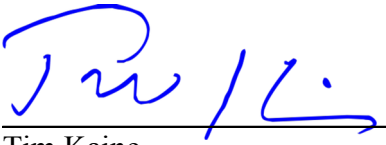
Margaret Wood Hassan  
United States Senator



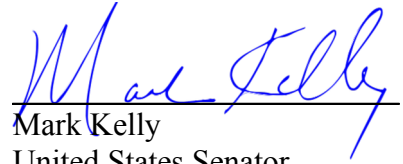
Martin Heinrich  
United States Senator



Mazie K. Hirono  
United States Senator



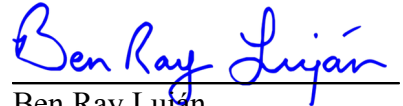
Tim Kaine  
United States Senator



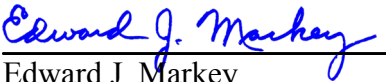
Mark Kelly  
United States Senator



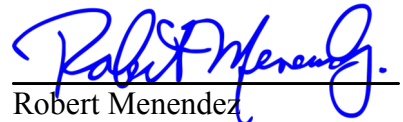
Amy Klobuchar  
United States Senator



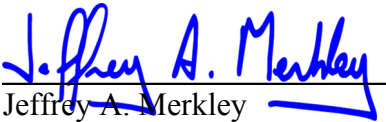
Ben Ray Lujan  
United States Senator



Edward J. Markey  
United States Senator



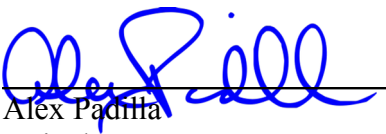
Robert Menendez  
United States Senator



Jeffrey A. Merkley  
United States Senator



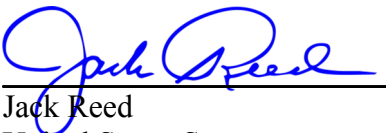
Christopher S. Murphy  
United States Senator



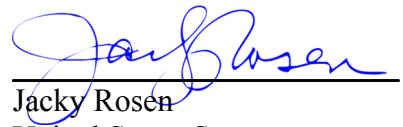
Alex Padilla  
United States Senator



Gary C. Peters  
United States Senator



Jack Reed  
United States Senator



Jacky Rosen  
United States Senator



Bernard Sanders  
United States Senator



Brian Schatz  
United States Senator



Jeanne Shaheen  
United States Senator



Tina Smith  
United States Senator



Debbie Stabenow  
United States Senator



Jon Tester  
United States Senator



Chris Van Hollen  
United States Senator



Mark R. Warner  
United States Senator



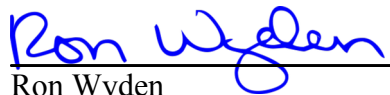
Raphael G. Warnock  
United States Senator



Elizabeth Warren  
United States Senator



Sheldon Whitehouse  
United States Senator



Ron Wyden  
United States Senator